

**IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF DELAWARE**

JOHN DOHERTY,

Plaintiff,

v.

C.A. No. 04-370-SLR

NOREEN RENARD, JOSEPH
PAESANI, JAMES LUPINETTI,
MICHAEL TIGUE and ROBERT I.
GEORGE, JR.,

Defendants.

SCHEDULING ORDER

At Wilmington, this ~~17th~~ day of May, 2006, the parties have satisfied their obligations under Fed. R. Civ. P. 26(f), and the court having conducted a pretrial scheduling conference pursuant to Fed. R. Civ. P. 16 and D Del. LR 16.2 (a) and (b).

IT IS ORDERED that:

1. Pre-Discovery Disclosures. The parties will exchange within 15 days of the signing of this order the information required by Fed. R. Civ. P. 26 (a)(1) and D. Del. LR 16.2. Additionally, defendant shall file and serve an answer to the complaint within the same time period.

2. Discovery

(a) Discovery will be needed on the following subjects: In the areas of plaintiff's remaining allegations and any asserted affirmative defenses asserted by defendants.

(b) All discovery shall be commenced in time to be completed by **December 4, 2006.**

(c) Maximum of **50** interrogatories by each party to any other party.

(d) Maximum of **20** requests for admission by each party to any other party.

(e) Maximum of **10** depositions by plaintiff and **10** by each defendant.

(f) Each deposition other than of the plaintiff is limited to a maximum of **7** hours unless extended by agreement of parties.

(g) Reports from retained experts under Rule 26(a)(2) on issues for which any party has the burden of proof due by **September 1, 2006.** Rebuttal expert reports due by **November 1, 2006.**

(h) Discovery Disputes. Any discovery dispute shall be submitted to the court pursuant to Fed. R. Civ. P. 37. During the course of discovery, each party is limited to two (2) Rule 37 motions. The court shall make itself available, however, to resolve through a telephone conference, disputes that arise during the course of a deposition and disputes related to entry of a protective order.

3. Joinder of other Parties, Amendment of Pleadings, and Class Certification.
All motions to join other parties, amend the pleadings, and certify a class action shall be filed on or before **July 15, 2006.**

4. Settlement Conference. Pursuant to 28 U.S.C. § 636, this matter is referred to Magistrate Judge Thyng for the purposes of exploring ADR.

5. Summary Judgment Motions. All summary judgment motions shall be served and filed with an opening brief on or before **January 31, 2007.** Briefing shall be

pursuant to D. Del. LR 7.1.2. No summary judgment motion may be filed more than ten (10) days from the above date without leave of the court.

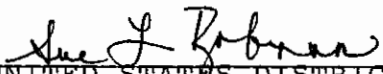
6. Applications by Motion. Any application to the court shall be by written motion filed with the clerk. Unless otherwise requested by the court, counsel shall not deliver copies of papers or correspondence to chambers. Any non-dispositive motion shall contain the statement required by D. Del. LR 7.1.1

7. Motions in Limine. All motions in limine shall be filed on or before two weeks before the below pretrial conference date (May 3, 2007). All responses to said motions shall be filed on or before a date that is one week before the pretrial conference (May 10, 2007).

8. Pretrial Conference. A pretrial conference will be held on **May 17, 2007** at **5:00 p.m.** in courtroom 6B, sixth floor Federal Building, 844 King Street, Wilmington, Delaware. The Federal Rules of Civil Procedure and D. Del. LR 16.4 shall govern the pretrial conference.

9. Trial. This matter is scheduled for a 5 day jury trial commencing on **June 11, 2007**, in courtroom 6B, sixth floor Federal Building, 844 King Street, Wilmington, Delaware. For purposes of completing pretrial preparations, the parties should plan on being allocated a total number of hours in which to present their respective cases.

10. Case Caption: The case caption is hereby changed to the above form to comport with the Court's decisions.


UNITED STATES DISTRICT JUDGE